



"The City With a Heart"

Larry Franzella, Mayor
Ken Ibarra, Vice Mayor
Rico E. Medina, Councilmember
Irene O'Connell, Councilmember
Jim Ruane, Councilmember

MINUTES

CITY COUNCIL REGULAR MEETING

February 13, 2007

7:00 p.m.

1. **CALL TO ORDER:** THIS IS TO CERTIFY THAT The San Bruno City Council met in regular session on February 13, 2007 at the San Bruno Senior Center, 1555 Crystal Springs Road. The meeting was called to order at 7:00 p.m.

Mayor Franzella thanked the **San Bruno Garden Club** for providing the beautiful floral arrangement.

2. **ROLL CALL/PLEDGE OF ALLEGIANCE:** Presiding was Mayor Franzella with Vice Mayor Ibarra and Councilmembers Ruane, Medina and O'Connell in attendance. Recording by City Clerk Bonner. The Pledge of Allegiance was led by City Clerk Bonner.

3. **ANNOUNCEMENTS:** None.

4. **PRESENTATIONS:**

Mayor Franzella Presented a Proclamation Recognizing the 100th Anniversary of the San Bruno Park School District on February 22, 2007 to **Superintendent Dr. David Hutt** and **School Board Member Russ Hanley** who outlined the many upcoming events for the centennial.

5. **REVIEW OF AGENDA:** No Changes.

6. **APPROVAL OF MINUTES:** Regular City Council Meeting of January 23, 2007, stands approved as submitted.

7. **CONSENT CALENDAR:** All items listed are considered routine or implement an earlier Council action and may be enacted by one motion; there will be no separate discussion unless requested by Councilmember, citizen or staff.

a. **Approve:** Payroll of January 26 and February 9, 2007.

b. **Approve:** Accounts Payable of January 15 and 22, 2007.

c. **Adopt:** Resolution Approving Installation of 775 Feet of New Red Curb at Commodore Drive West of National Avenue; 25 Feet of New Red Curb at First Avenue North of Angus Avenue; 14 Feet of New Red Curb at Mid-Block Crosswalks at Huntington Avenue North of Angus Avenue; and, 75 Feet of New Red Curb at Jenevein Avenue North of Cunningham Way.

Councilmember Medina pulled Item c. **M/S Ibarra/Ruane** to approve remainder, passed with all ayes.

Engineer Davis said increased visibility and safety was the reason for 25 feet of new red curb at First Ave. and Angus in response to **Councilmember Medina's** question. **Councilmember Medina** asked where the red zone would be located and **Engineer Davis** replied on the left to provide a substantial clear pocket for the car waiting at the stop sign. **Councilmember Medina** was concerned everyone encroaches to the left and it is hazardous. He said this might be a step addressing the

problem. **Engineer Davis** said this was a work-in-progress and staff will continue to look at this area to guarantee parking doesn't cause problems and to provide safer routes.

Vice Mayor Ibarra asked if parking wasn't an issue at First Ave. and Angus, how much red curb should be added to the area? **Engineer Davis** said he felt this was the correct amount of red curb on this section; however, there were other locations in this complex intersection to look at.

Lynn Ward, 2nd Avenue, said people coming out of the Bellaire Area over Angus need some leeway at the corner of Angus and First. **Mayor Franzella** said it is a difficult intersection and asked staff to investigate.

Councilmember O'Connell asked staff to look at red lining some of the areas as well as other solutions. **Engineer Davis** said the TSPC would need to assess and evaluate a request like this.

M/S O'Connell/Medina to approve Item 7.c. and passed with all ayes.

8. PUBLIC HEARINGS:

a. Waive First Reading and Introduce Ordinance Temporarily Suspending Liability of Airport Parking Facilities for a Portion of the Airport Parking Facilities Tax Provided for by San Bruno Municipal Code 3.16.180.

Finance Director O'Leary gave an overview of the staff report, which included SkyPark's request for a temporary reduction in taxes. Previously Council asked full payment for the fourth quarter and all penalties be paid, Finance Director O'Leary reported SkyPark was paid in full to date.

Vice Mayor Ibarra asked if the tax was based on the number of customers, wouldn't the tax decline as the customers declined?

Finance Director O'Leary said the tax is based on gross receipts, so when there is a reduction in gross receipts, there is a comparable reduction in the tax. SkyPark is saying the overall reduction puts the balance between their revenues and their remaining expenditures to a point where the operation becomes unprofitable.

Mayor Franzella said SkyPark is not looking at the overall reduction in tax; they are looking at a reduction in business and also a reduction in the tax that is charged on that. They compete on a per day rate, they cannot compete by quoting a figure plus tax; they add that tax in. They are competing with an airport that is offering on-site and baggage check-in on airport property. He said the subcommittee felt this twelve month reduction gave SkyPark a chance to adjust and compete.

Councilmember Ruane, speaking on behalf of the subcommittee, said the City's reduction was coupled with the hope of a substantial reduction from the landlord.

Vice Mayor Ibarra asked if So San Francisco had taken any measures to reduce the rates of their parking facility next to SkyPark? Finance Director O'Leary was not aware of any; however, he did find out their traffic was down about 10%, consistent with SkyPark.

Mayor Franzella opened the public hearing. No member of the public wished to comment.

Mayor Franzella asked if there was a motion to close the public hearing.

M/S Ruane/Ibarra to close the public hearing and passed with all ayes.

M/S Ruane/Ibarra to waive the first reading and passed with all ayes.

Councilmember Ruane introduced the ordinance and passed with a unanimous vote.

b. Waive First Reading and Introduce an Ordinance Amending and Adding Sections of Title 12, "Land Use," of the San Bruno Municipal Code Regarding Completeness Requirements for Development Project Applications.

Interim Community Development Director Akin reviewed the staff report. In response to several of the Councilmember's requests at the last meeting, those requested changes have been incorporated into the ordinance.

Mayor Franzella opened the public hearing.

No member of the public wished to comment.

Mayor Franzella asked if there was a motion to close the public hearing.

M/S Ibarra/Medina to close the public hearing and passed with all ayes.

M/S Ibarra/Ruane to waive the first reading and passed with all ayes.

Vice Mayor Ibarra introduced the ordinance and passed with a unanimous vote.

9. CONDUCT OF BUSINESS:

a. Receive Report on Cypress Avenue Traffic Calming Pilot Project.

Interim Public Works Director Chambers outlined the outcome of the data and survey for the pilot project and **Engineer Davis** presented a discussion on the lessons learned from the pilot project and offered several suggestions as defined in the staff report.

Councilmember O'Connell asked if other calming methods could be used instead of speed bumps.

Engineer Davis said he was providing an option for an interim solution focusing on speed bumps. He felt other options should be considered in the comprehensive approach.

Councilmember O'Connell was concerned speed bumps could be installed and not really address the problem.

Mayor Franzella had a concern regarding an interim policy of installation of speed bumps when one might not know if they really wanted them. He proposed no speed bumps until a policy is decided. He didn't believe Cypress Ave's speed bumps to be a gained benefit; rather they were an alleviation of a nuisance. If the speed bumps belong there, it is the City's responsibility to do that and not use the cost of the bumps as a deterrent.

Councilmember Medina expressed his concern regarding allowing eight projects to go forward now and four to six months from now the TSPC finds other alternatives. He suggested the City wait until the entire report is done before making the appropriate decision.

Vice Mayor Ibarra said, having served on the TSPC, Cypress has always been a concern of the neighborhood. He felt the TSPC and staff should further investigate traffic calming.

M/S O'Connell/Ibarra to have a six-month moratorium on speed bumps, no interim program and to send the project back to staff to work with the TSPC to develop a comprehensive traffic calming program and passed with all ayes.

Vice Mayor Ibarra asked how the TSPC and staff would be addressing the eight applications of concerns about speed and safety.

Interim Public Works Director Chambers said these neighborhoods can be scheduled to be heard before the TSPC and staff can look at taking any administrative steps necessary to address their concerns.

b. Receive Request from Rotary Club of San Bruno Regarding a Major Community Project to be Completed by the Club to Celebrate its 60th Year of Service and Consider Appointment of a City Council Subcommittee to Meet with Rotary to Consider Possible Projects.

Mayor Franzella appointed **Councilmembers Ruane** and **O’Connell** to be on the Subcommittee to work with the Rotary Club.

c. Adopt Resolution Authorizing the City Manager to Negotiate and Enter a Professional Services Agreement with MaintStar, Inc. for a Computerized Maintenance Management System (CMMS), a Project of the 2006-2007 Technology Capital Improvement Program, Project 84326; and Approve Additional Appropriation of \$52,336 from Wastewater Capital and Water Capital Funds.

Public Works Deputy Director Howard said one reason for having a computerized maintenance management system was to have an internal method for taking care of the existing infrastructure. The second reason for adopting this resolution is to help in developing capital improvement projects by identifying those systems so the worse go first. It is a tool for a manager to move a system that is in a reactive mode to an area more proactive maintenance, thereby reducing costs.

Councilmember Medina, referencing the staff report, asked what other bay area city had this system?

Public Works Deputy Director Howard said Pleasanton, where staff made a site visit.

Councilmember Medina asked what types of future costs in updating as the system grows?

Public Works Deputy Director Howard over time there may be \$30,000 over a three-year period. There are always additional modules being produced. It is a growing system and the need to keep up is to be in compliance.

Vice Mayor Ibarra commented on logs still being written in handwriting.

Councilmember Ruane introduced the resolution for adoption and passed with a unanimous vote.

d. Receive Recommendation Regarding Proposed Ordinance Modifying and Clarifying the Process Contained in Title 12, “Land Uses,” for Obtaining Temporary Use Permits for Various Activities and for Obtaining Police Permits for Dance or Entertainment Events.

Interim Community Development Director Akin and **City Attorney Thompson** reviewed the staff report and further clarified “Land Uses.”

Vice Mayor Ibarra’s concern was the appropriate people be notified; i.e., and to adjacent tenants affected.

Mayor Franzella said it would be to owners within 300 feet at a minimum.

Vice Mayor Ibarra said on the temporary use permit for three months or less he would like the ten-day notices posted in three conspicuous locations and mailed to direct adjacent property owners.

Mayor Franzella felt there should be a minimum standard. How is adjacent defined, property sharing borders. He said not just neighbors sharing a property line should be notified; certainly those around it should be notified because 300 feet is not a huge area.

City Attorney Thompson said the 300 feet comes from the government code and that is a pretty standard. Capturing the other neighbors comes from the posting.

Vice Mayor Ibarra said this was for those permits issued for three months or less.

Councilmember Medina said posting notices was great; however, not everyone would read it.

City Attorney Thompson clarified wording be changed from “or” to “and” to adjacent property owners within 300 feet.

Councilmember O’Connell said under the words Community Development Director to add “or their designee.”

Mayor Franzella said applications should be made 60 days in advance and decisions be made by the City Manager within 30 days.

e. Receive Recommendation Regarding Proposed Ordinance Amending and Adding Sections to Chapter 11.04 of the San Bruno Municipal Code Regarding Building Permit Expiration Time Frames.

Interim Community Development Director Akin and City Attorney Thompson reviewed the staff report and asked Council to set up an ad hoc committee to provide definitive guidance.

Vice Mayor Ibarra said a neighboring City had a major problem and they beefed up their nuisance ordinance. He asked about residents who pull permits and don’t actually start the work.

Mayor Franzella recommended a subcommittee of **Councilmember Ruane** and **Mayor Franzella**.

f. Adopt Resolution Amending the Master Fee Schedule as Approved by Resolution 2007-04 Related to Building Permit Fees and Other Inspections and Fees.

Finance Director O’Leary and **Interim Community Development Director Akin** reviewed the staff report and asked a different method be used in evaluation.

Vice Mayor Ibarra said looking at cost recovery, what does the homeowner actually pay for? He said he did not believe in valuation of projects.

City Manager Jackson said full cost recovery is what is being talked about. She said they were attempting to use a methodology to achieve the goal that doesn’t put the City in a position of over collecting but is closer to what the Council was looking for in the last discussion.

Vice Mayor Ibarra said if staff were to look at the total scope of a project when determining the value of the project, there would be a marked increase.

Interim Community Development Director Akin said for bathroom and kitchen remodels they can provide a contract if the cost is significantly less. For simple bathroom and kitchen remodels there is a plan check cost which is 75% of the overall permit cost. Under the proposal revisions, there would be a per hour plan check fee over the counter, which would be a half-an-hour charge, the

homeowner would see a significant reduction in the remodel. He said this method has a better balance on what we are providing to the citizens.

Councilmember Ruane said when looking at a \$20,000 or \$30,000 valuation, is \$30,000 what would be paid to have a turnkey done?

Interim Community Development Director Akin said it would be the cost of all materials and labor to have the kitchen remodeled.

Councilmember Ruane said we are dealing with House A and House B and House A wants Sears appliances and House B wants top-of-the-line, granite, sub-zero, same identical kitchen remodel other than the cost of appliances and fixtures, are they going to pay twice as much?

Interim Community Development Director Akin said yes with the valuation method, they look at how much the job will cost and that is how the permit fee is based.

Building Official Rider said there are normally three inspections for a bath and four for a kitchen and tried to establish an average.

Mayor Franzella said in San Francisco when a permit is pulled, they charge a base fee, then a per inspection fee. He asked if staff had looked at this method.

Interim Community Development Director Akin said no; however, reinspection fees have been charged, the standard valuation method is used in the majority of cities in California.

Councilmember Ruane said someone wants to do a nice job and they are penalized because they are using higher end products with the same square footage, is that correct?

Interim Building Official Rider said in order to recover the fees; staff is trying to establish a value that would be like an average.

Interim Community Development Director Akin said the minimum valuation would be \$30,000.

Mayor Franzella said using this thought process and applying it to bathrooms. A lot of bathrooms can be remodeled for less than \$20,000. If they show a contract that costs \$10,000 are the fees being recovered?

Interim Community Development Director Akin replied if they show a contract which is less, and the building official takes a look at it and says, "yes, we are recovering our fees" then it could be taken in that way. The contract must be reasonable and meet the City's cost recovery objectives.

Mayor Franzella said you can't have something saying minimum when minimum is something less. Minimum is pretty definitive.

Interim Community Development Director Akin clarified the word "minimum" should be changed to "standard" in the table in the appendix in the Master Fee Schedule.

Vice Mayor Ibarra clarified \$10,000 would be \$199; \$20,000 would be \$339. Is \$199 cost recovery?

Building Official Rider said the City would come up short, based on fully cost recovery.

Vice Mayor Ibarra asked what is the clarification on remodel? Added additions would be at the new construction rate?

Interim Community Development Director Aknin said internal improvements and valued at 50% of the new construction. Expansion of footprint as well as the interior remodel.

Councilmember Ruane introduced the resolution for adoption with the changes as noted and passed with a unanimous vote.

10. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

Robert Riechel, SMCMAAD, gave an update on mosquito abatement.

Fran Dunleavy, Principal, John Muir School, requested a comprehensive traffic study in the John Muir School area. Particularly Crestmoor Dr. **Mayor Franzella** said staff would follow-up.

11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES: None.

12. COMMENTS FROM COUNCIL MEMBERS:

a. **Councilmember Ruane** recognized San Bruno Resident Tara Alvergue, for earning Burlingame High's Jefferson Award for Public Service. **Mayor Franzella** asked staff to get a letter out to Tara.

b. **Vice Mayor Ibarra** said at the State convention of the Lions Club, San Bruno's Club was awarded a trophy for the most original or service project for the Posy Parade.

13. CLOSED SESSION:

The Human Resources Director as the City's Negotiator Requests a Closed Session Pursuant to Cal. Gov't Code Section 4957.6 Regarding Direction for Labor Negotiations for the Police, Miscellaneous and Public Safety Mid Management Bargaining Units.

14. ADJOURNMENT:

There being no further business to transact, the meeting was concluded at 8:55 p.m. The next regular City Council meeting will be held on February 27, 2007, 7:00 pm, at the Senior Center, 1555 Crystal Springs Road.

Respectfully submitted for approval
at the regular City Council Meeting of
March 13, 2007

Carol Bonner, City Clerk

Larry Franzella, Mayor